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Intellectual Property
Law Division
FAX COVER SHEET

TO: U.S. Patent and Trademark Office
MAINTENANCE FEE BRANCH

FROM: Douglas M. Grover, Reg. No. 52,974
AVAYA INC.

DATE: January 27, 2011

FAX: (571) 273-0159

TOTAL PAGES: Six (6)

2011 JAN 28 AM 4:19

USPTO
RECEIPTS ACQUISITION
DIVISION

Re: U.S. Patent No. 7,165,213 for
**METHOD AND SYSTEM FOR COORDINATING MEDIA AND MESSAGING
OPERATINOS IN AN INFORMATION PROCESSING SYSTEM**
Avaya Ref. Quintus 5 (350008-US-CIP)
**Change in Entity Status and Payment of Deficiencies in Fees During Prosecution and
For 3.5 Year Maintenance Fee**

Dear Sir or Madam,

Please see the following documents, which appear after this cover sheet:

1. Payment of Deficiency in Previously Paid Fees Based on Erroneous Entity Status
Under 37 C.F.R. §1.28 (3 pages); and
2. Request to Change Entity Status signed by Agent for Patentee (2 pages).

Thank you in advance for your assistance. Please do not hesitate to contact me should you have
any questions or require anything further.

Regards,



Kimberly Croft
Paralegal to Douglas M. Grover

Avaya Inc., Intellectual Property-Law Organization
1300 W. 120th Avenue
Room B1F53
Westminster, CO 80234

☎Telephone 303-538-4600
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Patent

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Under 37 C.F.R. §1.8

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(Signature)

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Inventor: **Andrew T. BUSEY**Docket No.: **Quintus 5 (350008-US-CIP)**Serial No: **09/187,895**Group Art Unit: **2176**Filing Date: **November 6, 1998**Confirmation No.: **3594**Patent No.: **7,165,213**Examiner: **William BASHORE**Issue Date: **January 16, 2007**

Title: **METHOD AND SYSTEM FOR COORDINATING MEDIA AND
MESSAGING OPERATIONS IN AN INFORMATION PROCESSING
SYSTEM**

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Maintenance Fee Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PAYMENT OF DEFICIENCY IN PREVIOUSLY PAID FEES
BASED ON ERRONEOUS ENTITY STATUS UNDER 37 C.F.R. §1.28

SIR:

The Assignee of the above-referenced patent obtained the rights to this patent during its prosecution as an application in 2001. An Assignment based on the acquisition of an entire portfolio of patents from the previous owner, Quintus Corporation ("Quintus"), to Avaya Technology Corp. ("Avaya"), was signed on April 10, 2001, and recorded in the U.S. Patent and Trademark Office, Assignments Branch, on July 26, 2001 at reel/frame 012698/0615.

Patent No. 7,165,213

Payment of Deficiency in Previously Paid Fees Based on
Erroneous Entity Status Under 37 C.F.R. §1.28 Filed 01/27/2011

At the time of the assignment from Quintus to Avaya, the law firm of Blakely Sokoloff Taylor and Zafman was acting on behalf of Avaya as counsel in order to prosecute the application. Neither Avaya's in-house counsel, nor outside counsel, realized that some fees had been or were being paid at the small entity status level and no change in entity status from small entity to large entity was filed during prosecution of the application.

On June 16, 2010, via its third party maintenance fee payment service, CPA, Patentee inadvertently paid the 3.5 year maintenance fee as a small entity. Patentee was notified shortly thereafter that the fee had been paid at the small entity level. Patentee therefore undertook a review of the file regarding entity status and the payment of various fees during prosecution and issuance of the application at the earliest possible opportunity.

Following this review, Patentee has become aware that the fees identified in the chart below were erroneously paid at the small entity fee. As far as Patentee is aware, these are the only fees that were paid using the small entity status.

Date	Action Taken / Item Filed	Fee Paid at Small Entity Level	Current Large Entity Fee Due	Deficiency in Fee Due
09/23/2002	Petition Filed	640.00	1,620.00	980.00
09/23/2002	Terminal Disclaimer Filed	55.00	140.00	85.00
11/24/2006	Issue Fee Paid	700.00	1,510.00	810.00
06/16/2010	3.5 Year Maintenance Fee Paid	490.00	980.00	490.00
	Subtotals	1,885.00	4,250.00	2,365.00
TOTAL FEES CURRENTLY DUE:				2,365.00

Patent No. 7,165,213

Payment of Deficiency in Previously Paid Fees Based on
Erroneous Entity Status Under 37 C.F.R. §1.28 Filed 01/27/2011

Since Patentee paid a total of \$1,885.00 at the small entity level during the prosecution of the application and as payment of the first maintenance fee, Patentee submits herewith, via deposit account, the required difference of the amount due for a large entity that should have been paid during prosecution and as payment of the first maintenance fee, which is \$2,365.00. The deposit account authorization to debit the required funds is given below.

In addition, Patentee submits herewith a *Request to Change Entity Status* signed by the Assignee of record and respectfully requests that the Examiner change the entity status for Patentee to **large** entity.

Furthermore, Patentee respectfully requests that the U.S. Patent and Trademark Office accept the \$2,365.00 difference in payment and requests that the Commissioner confirm that the Patentee's request is approved.

Deposit Account Authorization

The Patentee hereby authorizes the Commissioner to deduct the amount of \$2,365.00 from Deposit Account No. 501602, and hereby authorizes the Commissioner to deduct any additional fees that may be due for this patent in order to pay all the deficiencies of fees. In addition, Patentee authorizes the Commissioner to credit any overpayment of fees to Deposit Account No. 501602.

Respectfully submitted,

Andrew T. BUSEY

Date: January 27, 2011

By: 

Douglas M. Grover

Reg. No. 52,974

Phone: (303) 538-4926

Avaya Inc.
Docket Administrator
1300 West 120th Avenue
Room B1-F53
Westminster, CO 80234

Patent

Certificate of Facsimile Transmission

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(571) 273-0159 on January 27, 2011

(Signature)

Kimberly C. Croft

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Title: **METHOD AND SYSTEM FOR COORDINATING MEDIA AND
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SYSTEM**

Maintenance Fee Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CHANGE ENTITY STATUS

SIR:

Patentee hereby requests that the U.S. Patent and Trademark Office record a change
in the entity status of the Assignee of record in the above-referenced U.S. patent.

The Assignee of the present patent is a **LARGE ENTITY**.

Patent No. 7,165,213

Request to Change Entity Status Filed 01/27/2011

Deposit Account Authorization

Patentee does not believe that any additional fees are due with respect to this correspondence; however, should the Commissioner determine that additional fees are required, the Commissioner is hereby authorized to charge Deposit Account No. 50-1602.

Respectfully submitted,

Andrew T. BUSEYDate: January 27, 2011By: 

Douglas M. Grover

Reg. No. 52,974

303-538-4926

Avaya Inc.
Docket Administrator
1300 West 120th Avenue
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